

**2012 -- S 2560 SUBSTITUTE A AS AMENDED**

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LC01475/SUB A  
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**STATE OF RHODE ISLAND**

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2012

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A N A C T

RELATING TO INSURANCE -- AUTISM SPECTRUM DISORDERS

Introduced By: Senators E O`Neill, Perry, Gallo, Ottiano, and Goodwin

Date Introduced: February 28, 2012

Referred To: Senate Health & Human Services

It is enacted by the General Assembly as follows:

1           SECTION 1. Sections 27-20.11-1, 27-20.11-3 and 27-20.11-7 of the General Laws in  
2 Chapter 27-20.11 entitled "Autism Spectrum Disorders" are hereby amended to read as follows:

3           **27-20.11-1. Mandatory coverage for Autism spectrum disorders.** -- (a) Every group  
4 health insurance contract, or every group hospital or medical expense insurance policy, plan, or  
5 group policy delivered, issued for delivery, or renewed in this state, by any health insurance  
6 carrier, on or after January 1, 2012, shall provide coverage for autism spectrum disorders;  
7 provided, however, the provisions of this chapter shall not apply to contracts, plans or group  
8 policies subject to the Small Employer Health Insurance Availability Act, chapter 50 of this title,  
9 [Medical Assistance, chapter 40-8](#), or subject to the Individual Health Insurance Coverage Act,  
10 chapter 18.5 of this title.

11           **27-20.11-3. Scope of coverage.** -- (a) Benefits under this section shall include coverage  
12 for [pharmaceuticals](#), applied behavior analysis, physical therapy, speech therapy, [psychology](#),  
13 [psychiatric](#) and occupational therapy services for the treatment of Autism spectrum disorders, as  
14 defined in the most recent edition of the DSM. Provided, however:

15           (1) Coverage for physical therapy, speech therapy and occupational therapy [and](#)  
16 [psychology, psychiatry and pharmaceutical](#) services shall be, to the extent such services are a  
17 covered benefit for other diseases and conditions under such policy; and

18           (2) Applied behavior analysis shall be limited to thirty-two thousand dollars (\$32,000)  
19 per person per year.

1 (b) Benefits under this section shall continue until the covered individual reaches age  
2 fifteen (15).

3 (c) The health care benefits outlined in this chapter apply only to services delivered  
4 within the State of Rhode Island; provided, that all health insurance carriers shall be required to  
5 provide coverage for those benefits mandated by this chapter outside of the State of Rhode Island  
6 where it can be established through a pre-authorization process that the required services are not  
7 available in the State of Rhode Island from a provider in the health insurance carrier's network.

8 ~~27-20.11-7. Credentialing and contracting practices. --- Credentials. --~~ (a) Any  
9 individual providing or supervising applied behavior analysis treatment under this section shall  
10 be:

11 (1) Individually licensed by the department of health as a ~~healthcare provider/clinician~~  
12 ~~pursuant to chapter 42-35 or 42-35-1 et al. and nationally certified as a Board Certified Behavior~~  
13 ~~Analyst (BCBA); and credentialed by the insurer;~~ licensed applied behavior analyst; or a licensed  
14 applied behavior assistant analyst acting under supervision; or

15 (2) ~~Individually nationally certified as a Board Certified Assistant Behavior Analyst~~  
16 ~~(BCaBA) supervised by a Board Certified Behavior Analyst who is licensed~~ Licensed by the  
17 department of health as a psychologist; with equivalent experience or a psychologist practicing  
18 ~~social worker or therapist; and credentialed by the insurer.~~ within their scope of practice.

19 (b) Nothing in this chapter shall be construed to require a change in the credentialing or  
20 contracting practices of health insurers for mental health or substance abuse providers.

21 SECTION 2. This act shall take effect upon passage.

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EXPLANATION  
BY THE LEGISLATIVE COUNCIL  
OF  
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1           This act would mandate that insurance for Autism spectrum disorders include coverage  
2 for pharmaceuticals and for psychological and psychiatric services. This act would also require  
3 individuals providing behavior analysis treatment be licensed by the department of health.

4           This act would take effect upon passage.

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